

ANDREW S. MACKAY, #197074  
[amackay@donahue.com](mailto:amackay@donahue.com)

JASON M. FLOM, #287904  
[jflom@donahue.com](mailto:jflom@donahue.com)

DONAHUE FITZGERALD LLP  
1999 Harrison Street, 25th Floor  
Oakland, California 94612-3520  
Telephone: (510) 451-3300  
Facsimile: (510) 451-1527

Attorneys for Defendant  
MAXIMUM FAMILY GAMES, LLC d/b/a  
MAXIMUM GAMES

SAUL S. ROSTAMIAN (SBN: 235292)  
[srostamian@winston.com](mailto:srostamian@winston.com)

ERIN R. RANAHAN (SBN: 235286)  
[eranahan@winston.com](mailto:eranahan@winston.com)

ANDREW S. JICK (SBN: 278943)  
[ajick@winston.com](mailto:ajick@winston.com)

WINSTON & STRAWN LLP  
333 S. Grand Avenue, 38th Floor  
Los Angeles, CA 90071-1543

T: (213) 615-1700  
F: (213) 615-1750

Attorneys for Plaintiff  
CMG WORLDWIDE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CMG WORLDWIDE INC., an Indiana  
corporation,

Plaintiff,

v.

MAXIMUM FAMILY GAMES, LLC  
d/b/a MAXIMUM FAMES, a California  
limited liability company; SLITHERINE  
LIMITED; and DOES 2-10,

Defendants.

Case No. 3:14-cv-05124-JST

**STIPULATION FOR DISMISSAL AS TO  
ALL CLAIMS AGAINST DEFENDANT  
MAXIMUM FAMILY GAMES, LLC**

[FRCP 41]

Pursuant to Federal Rule of Civil Procedure 41(a)(2), plaintiff CMG WORLDWIDE INC. (“Plaintiff”) and defendant MAXIMUM FAMILY GAMES, LLC d/b/a MAXIMUM GAMES (“Maximum”), by and through their undersigned counsel, hereby stipulate to dismiss Plaintiff’s claims for relief against Maximum with prejudice according to the following terms:

(a) Plaintiff and Maximum have entered into a settlement agreement resolving Plaintiff’s claims against Maximum in this matter.

(b) This dismissal shall have no impact on and is not intended to dismiss defendant Slitherine Limited (“Slitherine”) from this action.

(c) Maximum’s special motion to strike Plaintiff’s state law causes of action pursuant to California Code of Civil Procedure section 425.16 and its motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6), currently set to be heard on March 26, 2015, are moot.

(d) Plaintiff and Maximum respectfully request that this Court enter an Order approving this Stipulation of Dismissal.

(e) Plaintiff and Maximum agree that this Court shall retain jurisdiction over this action and over Plaintiff and Maximum to the extent necessary to enforce the terms of their settlement agreement.

IT IS SO STIPULATED.

Dated: March 3, 2015

DONAHUE FITZGERALD LLP

By: /s/ Andrew S. MacKay

Andrew S. MacKay  
Attorneys for Defendant  
MAXIMUM FAMILY GAMES, LLC  
d/b/a MAXIMUM GAMES

Dated: March 3, 2015

WINSTON & STRAWN LLP

By: /s/ Erin Ranahan

Erin Ranahan  
Attorneys for Plaintiff  
CMG WORLDWIDE INC.

/s/ Erin R. Ranahan  
Erin R. Ranahan

**PROPOSED ORDER**

Having duly considered the above Stipulation of Dismissal of Plaintiff and Maximum, and the proceedings in this Action, the Court orders that the above Stipulation shall be entered. Accordingly, pursuant Federal Rule of Civil Procedure 41(a)(2), the Court hereby dismisses Plaintiff's claims against Maximum in this action with prejudice. The Court further orders that Maximum's special motion to strike Plaintiff's state law causes of action pursuant to California Code of Civil Procedure section 425.16 and its motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6), currently set to be heard on March 26, 2015, are denied as moot. The Court further orders that this Court shall retain jurisdiction over this action and over Plaintiff and Maximum to the extent necessary to enforce the terms of their settlement agreement.

This Order shall have no impact on the proceedings involving defendant Slitherine Limited.

SO ORDERED.

Dated: March 5, 2015

